

REMARKS

Claim Rejections

Claims 1-10 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by EP 1,237,296 A2 to Hamabe (“Hamabe”). Applicant traverses these rejections.

Hamabe does not disclose at least determining a load of a transmit power amplifier, determining a share of the load which is due to the transmission over the first channels, determining a difference between a maximum load and the share, and controlling the transmission over the second channels on the basis of the difference, as recited in claim 1. Hamabe discloses a transmission power control device that maintains a sum of transmission powers of a shared channel and individual channels (col. 4, ll. 4-17). Hamabe’s transmission power control device is characterized in that if the sum of transmission powers is larger than an upper limit, it decreases the transmission power for the shared channel by a difference between the sum and the upper limit, and if the sum of transmission powers is lower than a lower limit, it increases the transmission power for the shared channel by a difference between the sum and the lower limit (col. 4 ll. 18-25).

In other words, Hamabe’s transmission power control device decreases transmission power based on a measurement of transmission power exceeding an upper limit, or increases transmission power based on a measurement of transmission power falling below a lower limit. Hamabe does not control the transmission over the second channels by determining a share of the load which is due to the transmission over the first channels, determining a difference between a maximum load and the share, and controlling the transmission over the second channels on the basis of the difference, as recited in claim 1.

For the above reasons, independent claim 1 is patentable over Hamabe. Also, dependent claims 2-7 are patentable at least by virtue of their dependency.

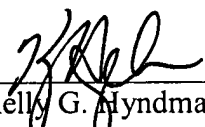
Independent claims 8-10 contain features similar to the features recited in claim 1. Since claim 1 is patentable, claims 8-10 are patentable over the prior art for similar reasons.

Conclusion

In view of the above, claims 1-10, which are all the claims pending in the application, are in condition for allowance. Reconsideration and allowance of this application are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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